

**Civil
DOCKET**

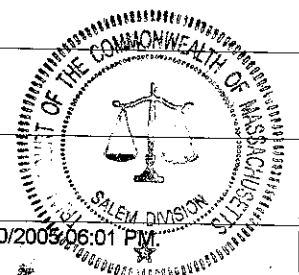
DOCKET NUMBER

200436CV000080**Trial Court of Massachusetts
District Court Department****CASE NAME****JEFFREY BROWN vs. MARRIOTT INTERNATIONAL, INC.****CURRENT COURT****Salem District Court
65 Washington Street
Salem, MA 01970-3572
(978) 744-1167****ASSOCIATED DOCKET NO.****DATE FILED****01/23/2004****DATE DISPOSED****05/03/2004****PLAINTIFF(S)****P01 JEFFREY BROWN****BEVERLY, MA 01915**

#04-10849RCL

PLAINTIFF'S ATTORNEY**CHARLES WILLIAM GODDARD
27 CONGRESS ST. 4TH FL.
SALEM, MA 01970
(978) 745-6200****DEFENDANT(S)/OTHER SINGLE PARTIES****D01 MARRIOTT INTERNATIONAL, INC.****PEABODY, MA 01960****DEFENDANT'S ATTORNEY****JAMES M. CAMPBELL
ONE CONSTITUTION PLAZA
THIRD FLOOR
BOSTON, MA 02129
(617) 241-3000**

NO.	ENTRY DATE	DOCKET ENTRIES
1	01/23/2004	Complaint filed on 01/23/2004 at Salem District Court.
2	01/23/2004	Appearance for Jeffrey Brown filed by Attorney CHARLES WILLIAM GODDARD 27 Congress St. 4Th Fl. Salem MA 01970 BBO# 196400
3	01/23/2004	Filing fee of \$180.00 and surcharge of \$15.00 paid (G.L. c.262 §§ 2 & 4C).
4	01/23/2004	Statement of damages filed by P01 JEFFREY BROWN (Dist./Mun.Cts.Supp.R.Civ.P. 102A).
5	01/23/2004	DISMISSAL UNDER STANDING ORDER 1-88 TIME STANDARDS potentially applicable on 01/30/2003 06:01 PM.
6	01/23/2004	DISMISSAL UNDER MASS.R.CIV.P. 4(j) potentially applicable on 04/30/2004 06:01 PM.
7	04/08/2004	Return of service on complaint and summons to D01 MARRIOTT INTERNATIONAL, INC.: Officer service SERVED in hand.

**A TRUE COPY,
ATTEST:**

CLERK-MAGISTRATE/ASSY. CLERK

X*Robert L. Shuman***DATE****5/5/4****CLERK/MAGISTRATE**

BUCKET NUMBER

200436CV000080

X

TRATE/ASST. CLERK
Robert L. Hanna

Date/Time Printed: 05/05/2004 09:48 AM

CLERK/MAGISTRATE

COMMONWEALTH OF MASSACHUSETTS

04-10849RCL

ESSEX, ss.

SALEM DISTRICT COURT

C.A. NO: 0436CV00080

Jeffrey Brown
Plaintiff

v.

Marriott International, Inc.
Defendant

JAN 23 11:50

CLERKS OFFICE

2004 JAN 23 12:11

RECEIVED

COMPLAINT

Parties

83096000001/23/04CIVIL

120.00

1. The Plaintiff, is a natural person who resides in Beverly, Essex County.
2. The Defendant, is a corporation with a principal place of business at 8A Centennial Drive, Peabody, Essex County.

Background Allegations

83096000001/23/04SURCHARGE

15.00

3. On or about January 25, 2001, the Plaintiff was a guest of the defendant at its Hutchinson Island, Florida location.
4. The Defendant organized and oversaw a swimming pool activity in which the Plaintiff was a participant.
5. The pool activity was inherently dangerous and it was foreseeable that injury to the participants would result if not properly organized and supervised.
6. The Plaintiff sustained serious and permanent facial injuries and dental injuries while participating in the above-described activity.

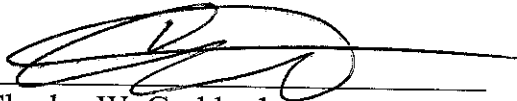
COUNT -1-

Brown vs. Marriott International, Inc.
(Negligence)

Now comes the Plaintiff and says that on or about January 25, 2001 the Defendant, its agents, severants and/or employees so carelessly and negligently organized and supervised certain activities in its swimming pool so that as a result the Plaintiff was struck in the mouth sustaining serious and permanent facial and oral injuries.

WHEREFORE, the Plaintiff, Jeffrey Brown, demands judgment against the Defendant, Marriott International, Inc., in an amount to be determined by the Court.

Jeffrey Brown
by his attorney,



Charles W. Goddard
BBO# 196400
Goddard, Scuteri & Delaney
27 Congress Street
Salem, MA 01970
(978) 745-6200

Dated: 01/22/04

THE PLAINTIFF DEMANDS A TRIAL BY JURY

STATEMENT OF DAMAGES

St. 1996, c. 358, s. 5

FILED (To be added by Clerk)

DOCKET NUMBER (To be added by Clerk)

Trial Court of
Massachusetts

PLAINTIFF(S)

JEFFREY BROWN

DEFENDANT(S)

MARRIOTT INTERNATIONAL, INC.

INSTRUCTIONS: THIS FORM MUST BE COMPLETED AND FILED WITH THE COMPLAINT OR OTHER INITIAL PLEADING IN ALL DISTRICT COURT CIVIL ACTIONS SEEKING MONEY DAMAGES IN BERKSHIRE, ESSEX, MIDDLESEX AND NORFOLK COUNTIES.

SALEM

DISTRICT COURT

TORT CLAIMS

AMOUNT

A. Documented medical expenses to date:

1. Total hospital expenses: \$ 1,200.

2. Total doctor expenses: \$ 3,000.

3. Total chiropractic expenses: \$

4. Total physical therapy expenses: \$

5. Total other expenses (Describe): \$

SUBTOTAL:

\$ 200

B. Documented lost wages and compensation to date: \$

C. Documented property damages to date: \$

D. Reasonably anticipated future medical and hospital expenses: \$ 1,000

E. Reasonably anticipated lost wages: \$

F. Other documented items of damage (Describe): \$

G. Brief description of Plaintiff's injury, including nature and extent of injury (Describe):

Facial lacerations, scars, broken teeth

For this form, disregard double or treble damage claims; indicate single damages only.

TOTAL: \$ 8,200.00

CONTRACT CLAIMS

AMOUNT

Provide a detailed description of claim(s): \$

\$

\$

\$

For this form, disregard double or treble damage claims; indicate single damages only.

TOTAL: \$

ATTORNEY FOR PLAINTIFF (OR PRO SE PLAINTIFF):

DEFENDANT'S NAME AND ADDRESS:

Signature

Date

CHARLES W. GODDARD 196400

Print or Type Name

B.B.O.#

27 Congress Street, Salem, MA 01970

Address

RECEIVED COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

2004 APR 30 A 11: 19

SUPERIOR COURT

CIVIL ACTION NO. 0436 CV 0080

CLEANING OFFICE

JEFFREY BROWN,
Plaintiff,

v.

MARRIOTT INTERNATIONAL, INC.
Defendant.

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04- 10849 RCL

NOTICE OF REMOVAL

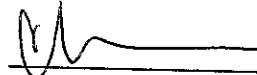
TO: Civil Clerks Office
Salem District Court
65 Washington St.
Salem, MA 01970

Charles W. Goddard
Goddard, Scuteri & Delaney
27 Congress Street
Salem, MA 01970

Please take notice that the defendant, Marriott International, Inc., a non-Massachusetts corporation with its principal place of business in Delaware, has on the 28th day of April, 2004, filed a Notice of Removal pursuant to 28 U.S.C. sec. 1441 et seq., containing a statement of facts which entitle it to remove the case to the United States District Court, District of Massachusetts.

The case is currently pending in the United States District Court, District of Massachusetts at Boston with a Docket Number 04 10849 RCL.

MARRIOTT INTERNATIONAL, INC.
By its attorneys,
CAMPBELL CAMPBELL EDWARDS & CONROY
PROFESSIONAL CORPORATION

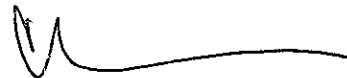


James M. Campbell (BBO# 541882)
Christopher A. Callanan (BBO# 630649)
One Constitution Plaza
Boston, MA 02110
(617) 241-3000

CERTIFICATE OF SERVICE

I certify that on April 29, 2004, a true copy of the above document was sent by first class mail, postage pre-paid to all attorneys of record.

Charles W. Goddard
Goddard, Scuteri & Delaney
27 Congress Street
Salem, MA 01970



Christopher A. Callanan

CAMPBELL
TRIAL LAWYERS

CHRISTOPHER A. CALLANAN
(617)241-3057

April 29, 2004

Commonwealth of Massachusetts
District Courts of Massachusetts

ESSEX, ss

FIRST DISTRICT COURT OF ESSEX

JEFFREY BROWN

v.

MARRIOTT INTERNATIONAL, INC.

65 Washington Street, Salem, MA

Civil Action No. 04/36 CV 080**SUMMONS**

(Rule 4)

To defendant MARRIOTT INTERNATIONAL, INC. of 8A Centennial Drive PEABODY, MA :
(name) (address)

You are hereby summoned and required to serve upon CHARLES W. GODDARD plaintiff(s) attorney), whose address is 27 CONGRESS STREET, SALEM, MA, a copy of your answer to the complaint which is herewith served upon you, within 20 days after service of this summons, exclusive of the day of service. You are also required to file your answer to the complaint in the office of the Clerk of this court either before service upon plaintiff(s) attorney), or within 5 days thereafter. If you fail to meet the above requirements, judgment by default may be rendered against you for the relief demanded in the complaint. You need not appear personally in court to answer the complaint.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will be barred from making such claim in any other action.

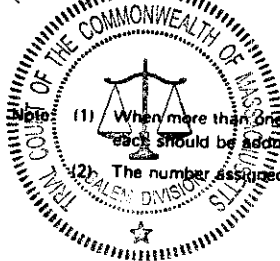
WITNESS

Samuel E. Zoll,

, Presiding Justice, on _____

(date)

(SEAL)



Robert A. Vena

CLERK/MAGISTRATE

RETURN OF SERVICE

On _____

(date of service)

I served a copy of the within summons, together with a copy of the complaint in this action upon the within named defendant in the following manner (see Rule 4(d)(1-5)):



Essex County Sheriff's Department • PO Box 2019 • Salem, MA 01970 • 978-750-1900 ext. 3590

Essex, ss.

April 5, 2004

I hereby certify and return that on 4/1/2004 at 10:50 am I served a true and attested copy of the summons, complaint and statement of damages in this action in the following manner: To wit, by delivering in hand to Robert Campbell, Day Manager, agent, person in charge at the time of service for Marriott International, Inc., 8 A Centennial Drive, Peabody, MA. Basic Service Fee (\$30.00), Conveyance (\$1.50), Travel (\$3.20), Postage and Handling (\$1.00), Copies (\$5.00)
Total Charges \$40.70

Deputy Sheriff Michael Burke

Michael Burke
Deputy Sheriff